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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/685,138	10/11/2000	Ju-Heon Lee	P56181	4552

8439 7590 08/06/2004

ROBERT E. BUSHNELL
1522 K STREET NW
SUITE 300
WASHINGTON, DC 20005-1202

EXAMINER

HUYNH, KIM NGOC

ART UNIT PAPER NUMBER

2182

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/685,138

Applicant(s)

LEE, JU-HEON

Examiner

Kim Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-8 and 16-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2,4-8,21-24,30-32 is/are allowed.
- 6) ☒ Claim(s) 16-20 and 25-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The petition requesting the withdrawal of the restriction requirements of the previous office action has been granted. The restriction requirement of Oct 29, 2003 is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Miller (US 6,038,320).

Claims 16, Miller discloses a method for securing a host computer system (Fig. 6) having steps of applying power to the host computer (100), determining if a USB

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device 40 is connected to the computer (110), (if security is enabled) comparing security information (key code) in the host computer with that of the USB device and enable the hard disk drive (after the password entered by the user is verified) of the host computer if security information of the device matched with the security information store in the memory of the host computer (col. 4, ll. 51-62 and step 200). Please note the claim does not exclude the presence of the step of checking for the enablement of the security and matching of user's password.

Claims 17-18 The step of performing the POST after power is applied and booting the host by an operating system are inherent during the power up and booting of the computer.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19-20 25-29 are rejected under 35 U.S.C. 103(a) as being obvious over Miller (US 6,038,320) in view of Crisan (US 6,292,890).

a. Claims 19-20 and 25, Miller discloses a method for securing a host computer system (Fig. 6) as discussed in claim 16 above except the step of displaying an error message if the USB device is not connected or the security information does not match.

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Crisan discloses that it is common for error to be displayed for error encountered during the boot up process (background, col. 1, l. 46 to col. 2, l.22).

It would have been obvious to one having ordinary skill in the art to implement the teaching of display error message when an error is encountered during the boot up process as taught by Crisan in order to inform the user of the status/progress of the boot up process.

Please note password is a sequence of characters (numbers, characters or a combination therefore) used to compared against a stored list of authorized codes and users. The key code of the security key 40 is therefore the password of the security key since it is used to compared against a stored code in the BIOS flash memory 24 (col. 3, ll. 1-7).

b. Claims 26-29, the step of performing the POST after power is applied, booting the host by an operating system, and connecting the device prior to power up are inherent during the power up and booting of the computer.

Allowable Subject Matter

6. Claims 1-2, 4-8, 21-24 and 32 are allowed.

7. Claims 30-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1, 30, and 31 recite, inter alia, a method and apparatus having portable memory device with USB interface coupled between a USB connector and the memory device wherein the memory device having a connector cover for protecting the USB connector from damage wherein the connector cover sliding automatically backwards upon insertion of the portable memory device into a USB port exposing the USB connector.

The references of record do not teach or suggest the aforementioned limitation, nor would it be obvious to modify those references to include such limitation

Response to Arguments

9. Applicant's arguments with respect to claims 16-20 and 25-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wang (US 6,618,807), Sarat (US 6,581,122) and Lawrence (US 5,664,950) discloses security key having password stored therein. Lawrence also disclose that the password can be a serial number.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Huynh whose telephone number is (703) 308-1678. The examiner can normally be reached on Mon - Thu, 6:30AM - 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kim Huynh
Primary Examiner
Art Unit 2182

KH
7/27/04